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7 ***Counsel for Defendant Beijing Matsushita***  
***Color CRT Co., Ltd.***

8  
9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN FRANCISCO DIVISION**

12 IN RE: CATHODE RAY TUBE (CRT) ) Case No.: 3:07-CV-5944  
13 ANTITRUST LITIGATION ) MDL NO. 1917  
14 )  
15 ) **BEIJING MATSUSHITA COLOR CRT**  
16 ) **CO LTD. NOTICE OF**  
17 ) **UNAVAILABILITY OF CLIENT FOR**  
18 ) **SEPTEMBER 13, 2013 STATUS**  
19 ) **CONFERENCE**  
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28 )  
Before the Honorable Samuel Conti

18 Defendant Beijing Matsushita Color CRT Ltd. Co. ("BMCC") files this Notice of  
19 Unavailability in connection with the Status Conference scheduled for September 13, 2013  
20 ("Conference") and states as follows:

21 On July 2, 2013, the Court entered an Order Setting Status Conference ("Order") [D.E.  
22 1758] requiring "the principal parties and lawyers to attend a hearing on the progress of the case  
23 and prospects for its efficient resolution." Order at 1. The Order sets the status conference for  
24 September 13, 2013 at 10:00 AM Pacific time and states that "[a]ttendance is mandatory." *Id.* at  
25 1-2.

1 The Court further ordered that “if a party believes it has a valid excuse for not being  
2 present and represented at the hearing, it should file a notice explaining the reasons for its  
3 absence, no later than one week before the hearing date.” *Id.* at 2.

4 Counsel for BMCC will attend the Conference to represent BMCC. BMCC requests that  
5 it be excused from attending, as doing so would create considerable hardship and difficulties  
6 that, BMCC believes, constitute good cause to allow BMCC to attend solely through its counsel.

7 First, BMCC does not currently have, nor has it ever had, any employees, offices,  
8 subsidiaries or branches in the United States or anywhere other than China. Therefore, a BMCC  
9 representative would be required to travel from Beijing, China to attend the conference.

10 Second, BMCC has no in-house legal counsel and a very small workforce. In 2009,  
11 BMCC ceased manufacturing CRTs (its only product), sold its manufacturing assets, reduced its  
12 workforce from thousands to fewer than 100 today (most of whom are support personnel) and  
13 now leases space in its former factory to third parties.

14 Third, no manager at BMCC (i) holds a passport, (ii) holds a US visa, and (iii) speaks  
15 English. Even if the Court were to order a manager from BMCC to attend the Conference, and  
16 that manager were able to obtain the requisite travel documents, the BMCC manager would  
17 require a Mandarin translator which could prove disruptive to the Conference.

18 For the aforementioned reasons, BMCC respectfully requests the Court excuse BMCC  
19 from attending the Conference and permit counsel from Freshfields to represent BMCC at the  
20 Conference.

21 August 20, 2013

Respectfully,

22 /s/ Christine A. Laciak

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**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that a true and correct copy of the foregoing document was electronically served upon the parties and counsel of record through the Court's ECF system on August 20, 2013.

/s/Christine A. Laciak  
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